

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2792 of 2018

Arising Out of PS. Case No.-64 Year-2018 Thana- LAUKAHA District- Madhubani

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1. Sanjay Kumar Laha @ Sanjay Laha
 2. Bijay Kumar Laha @ Bijay Laha, Both Son of late Sushil Chandra Laha
 3. Manoj Kumar Laha @ Manoj, Laha Son of Robin Chandra Laha
- All are Resident of Village Laukaha, P.S. Laukaha, District-Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Hriday Narayan Harshit
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 30-08-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 24.05.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in A.B.P. No.618 of 2018, arising out of Laukaha Police Station Case No.64 of 2018 registered under Sections 341, 323, 379, 427, 504/34 of the Indian Penal Code and Sections 3 (i)(r), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellants claim the F.I.R. referred land as their ancestral land, vide copy of survey khatian at *Annexure-2* and rent receipt of the year, 2015-2016 at page No.22.



In the aforesaid background, allegation is of commission of assault and theft. The appellants have stated on oath they have got no criminal antecedent.

Considering the background of allegation, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

